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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,861	08/21/2003	Noriyuki Sakuma	030852	6312

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EXAMINER	
MARTINEZ, DAVID E	
ART UNIT	**PAPER NUMBER**
2182	

DATE MAILED: 08/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/644,861	SAKUMA, NORIYUKI	
	Examiner	Art Unit	
	David E. Martinez	2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 June 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *3-8* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *3-8* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 June 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *8/21/03*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Status of Claims

Claims 1-2 are cancelled.

Claims 3-8 stand rejected.

Examiner vacates the previous objection to claim 3 after updating the prior art search and applying a newly found reference.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-2 and 4-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art (AAPA) in view of US Patent No. 3,881,156 to Deutsch. In further view of US Patent No. 5,040,234 to Yamamoto et al. (Yamamoto).

1. With regards to claim 3, AAPA teaches a data acquisition apparatus [fig 1] comprising multiple input modules [fig 1 elements 20, 30, 40] having different measurement intervals [pg 3 lines 4-12], wherein said data acquisition apparatus [fig 1] is characterized in that a control means [fig 1 element 10] is provided for simultaneously driving each input modules [page 6 lines 7-9].

AAPA teaches all of the above limitations, but is silent about simultaneously driving each of the input modules at a desired measurement interval. However, Deutsch teaches simultaneously measuring intervals of different lengths and beginning at different times (at a desired measured interval) for the benefit of being able to have numerous measuring intervals of different lengths beginning at different times [column 1 lines 24-50].

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings AAPA and Deutsch to simultaneously drive each input module at a desired measurement interval for the benefit of being able to have numerous measuring intervals of different lengths beginning at different times.

The combination of AAPA and Deutsch teaches the data acquisition apparatus characterized in that a measurement start command transmission control means, which selectively sends measurement start commands to the individual input modules, is provided as a control means [Deutsch, column 19 lines 5-24] for the same reasons set forth above.

The combination of AAPA and Deutsch teach all of the above limitations except for the measurement start command transmission control means is a memory, which stores in tabular format the input modules to which measurement start commands are to be sent in the measurement start command transmission timing..

However, Yamamoto teaches a measurement start command transmission control means is a memory, which stores in tabular format the input modules to which measurement start for the benefit of being able to have full control of the timing of the clock [column 1 lines 55-65].

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of AAPA, Deutsch, and Yamamoto to have the measurement start command transmission control means be a memory, which stores in tabular format the input modules to which measurement start commands are to be sent in the measurement start command transmission timing, for the benefit of being able to have full control of the timing of the clock.

2. With regards to claim 4, AAPA teaches the data acquisition apparatus described in any of the claims 1 through 3, characterized in that each input module has multiple measurement

channels [fig 1 elements 20, 30, 40 have channels 1-10, channels 11-20, and channels 21-30 respectively].

3. With regards to claim 5, the combination of AAPA and Deutsch teaches the data acquisition apparatus described in claim 4, characterized in that the measurement interval for each measurement channel in each input module differs based on the measurement start command [Deutsch, column 1 lines 24-50 and column 19 lines 5-24] for the same reasons set forth above in claim 1.

4. With regards to claim 6, AAPA teaches the data acquisition apparatus described in claim 1, characterized in that a timing circuit, which outputs a sampling timing signal of a prescribed interval based on a common measurement start command, is provided as a control means to each input module [fig 1 line 14 signal line for start command - page 6 lines 7-14].

5. With regards to claim 7, AAPA teaches the data acquisition apparatus described in claim 6, characterized in that each input module has multiple measurement channels [fig 1 elements 20, 30, 40 have channels 1-10, channels 11-20, and channels 21-30 respectively].

6. With regards to claim 8, the combination of AAPA and Deutsch teaches the data acquisition apparatus described in claim 6 characterized in that the measurement interval for each measurement channel in each input module is different [Deutsch, column 19 lines 5-24] for the same reasons set forth above in claim 1.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. Martinez whose telephone number is (571) 273-4152. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on (571) 272-4083. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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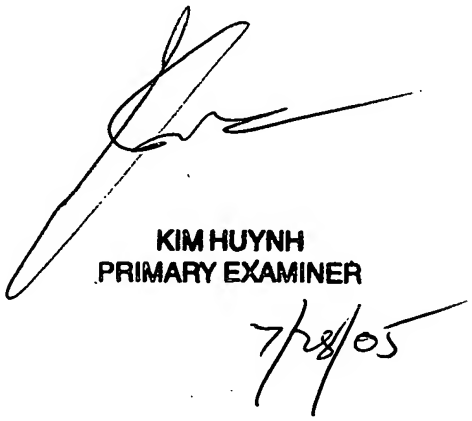

KIM HUYNH
PRIMARY EXAMINER

7/28/05